



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT TRANSMITTAL FORM

172

Applicant(s): **Craig P. Nadel**

Docket No.: NN001USU

Serial No.: **10/616,418**

Filed: **July 9, 2003**

For: **Projectile Launcher Including Audiovisual Stimuli**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith is:

1. **Response to Restriction Requirement.**
2. **Postcard**
3. **Duplicate copy of this letter**

Please charge any additional fees or credit any such fees, if necessary to Deposit Account No. 07-2162 in the name of Grimes & Battersby. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: August 9, 2004

James G. Coplit
Reg. No. 40,571
Grimes & Battersby, LLP
488 Main Avenue, Third Floor
Norwalk, Connecticut 06851
(203) 849-8300

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON August 9, 2004.

James G. Coplit
NAME OF REGISTERED
REPRESENTATIVE

SIGNATURE

8/9/2004
DATE



PATENT

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Applicant: **Craig P. Nadel**
Application No.: **10/616,418**
Filed: **July 9, 2003**
For: **Projectile Launcher Including Audiovisual Stimuli**
Examiner: **Chambers, Troy**
Art Unit: **3641**
Docket No.: **NN001USU**

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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

The Office Action mailed July 7, 2004 has been carefully considered. In this Office Action the Examiner required that Applicants elect for prosecution on the merits a single disclosed species of the invention if no generic claim is finally held to be allowable. The Examiner has indicated identified three specific species – Species A directed to a means for generating an audiovisual stimulus comprising a means for producing at least one light; Species B directed to a means for generating an audiovisual stimulus comprising a means for producing a sound effect;

and Species C directed to a means for generating an audiovisual stimulus comprising a means for producing a flash of light and means for simultaneously generating a sound effect. The Examiner also required further election of a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claims are finally held to be patentable. These species comprise: Species D directed to a trigger electronically connected to the audiovisual mechanism to thereby activate said mechanism upon depression of the activation switch; Species E directed to a trigger connected to the mechanism for propelling the projectile; and Species F directed to a trigger connected to both the audiovisual mechanism and the mechanism for propelling the projectile.

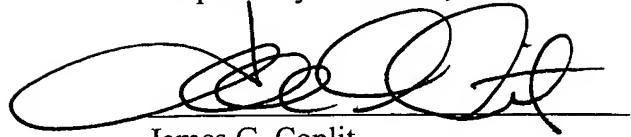
Applicant hereby traverses this restriction requirement. There is a strong public policy to retain all embodiments of an invention in a single application to permit others to be able to refer to a single patent rather than a multiplicity of patents. Further, judicial and PTO economy mandate that all such features of an invention should be included and prosecuted together in a single application.

In light of the fact that Claim 1 is generic, Applicant believes that the subject restriction requirement should be withdrawn.

Should the Examiner continue to maintain this restriction requirement, Applicant provisionally elects for continued prosecution Species A, which species is currently described in Claims 1-4, 8-15, 19-21 and 25, and further provisionally elects for continued prosecution Species F, which species is currently described in Claims 1-3, 8-15, 21 and 25.

In light of the above, applicant respectfully requests that the restriction requirement be withdrawn and each of the species presently pending in this application be examined.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James G. Coplit', written over a horizontal line.

James G. Coplit

Reg. No. 40,571

Attorney for Applicant